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Attorneys for Sagebrush 66
Investment Company, Inc.

UNITED STATES DISTRICT COURT

IN AND FOR THE DISTRICT OF NEVADA

PETROLEUM WHOLESALE, L.P.,
a Texas limited partnership,

Plaintiff,

vs.

SAGEBRUSH 66 INVESTMENT
COMPANY, INC., a Nevada corporation,
and DALE DERBIDGE, an individual,

Defendants.

Case No. 3:19-cv-00516-MMD-WGC

**STIPULATED MOTION AND ORDER TO
MODIFY EXPERT DISCLOSURE
DEADLINES IN SCHEDULING ORDER**

(Fourth Request)

SAGEBRUSH 66 INVESTMENT
COMPANY, INC., a Nevada corporation,

Counterclaim Plaintiff,

vs.

PETROLEUM WHOLESALE, L.P., a Texas
limited partnership,

Counterclaim Defendant.

Pursuant to LR IA 6-1, the parties in this matter, Petroleum Wholesale, L.P., Sagebrush 66 Investment Company, Inc., and Dale Derbidge, by and through counsel of record, hereby stipulate to and request that the Court extend the expert disclosure deadlines in the current scheduling order (Docket No. 39) in this matter for 16 days. The new deadlines are set forth below. While this is the parties' fourth stipulation to extend discovery deadlines in this case, this request does not seek an extension of the discovery cut off date, dispositive motion deadline, or pretrial order deadline, but only seeks a short extension of the deadlines for expert disclosures within the remaining deadlines to accommodate a number of fact depositions.

As required by LR 26-4, the parties include the following information to show good cause for the requested extension. The parties are currently working to schedule a number of fact depositions in this matter. Due to witness and counsel availability issues, most of the fact depositions cannot be conducted until late March and early April, and the parties wish to complete these fact depositions before expert disclosures. In order to accommodate the deposition schedule necessitated by witness and counsel availability, the parties have agreed to postpone the expert disclosure deadlines for a couple of weeks to complete these fact depositions. The parties submit that a brief extension of the expert disclosure deadlines, while maintaining the discovery cut off deadline, will enable the parties to schedule and conduct a number of fact depositions prior to making expert disclosures.

The proposed schedule for all remaining deadlines in this matter is below:

(1) Discovery Cut Off: No later than Friday, **May 21, 2021**. (no change)

(2) Expert Witness Disclosures: The disclosure of any primary expert witnesses shall be made no later than: Wednesday, **April 7, 2021**. The disclosure of any rebuttal experts shall be no later than: Friday, **May 7, 2021**.

(3) Dispositive Motions: Dispositive motions shall be filed no later than: Monday, **June 21, 2021**. (no change)

(4) Pretrial Order. The Joint Pretrial Order (including FRCP 26(a)(3) disclosures by the parties) shall be filed no later than: Monday, **July 19, 2021**. (no change) However, in the event dispositive motions are filed, the date for filing and Joint Pretrial Order (including FRCP

26(a)(3) disclosures) shall be suspended until 30 days after the Court issues a decision on the dispositive motions.

DATED this 18th day of February, 2021.

RAY QUINNEY & NEBEKER P.C.

/s/ Z. Ryan Pahnke

Z. Ryan Pahnke, Esq.

and

Wayne O. Klomp, Esq.

SNELL & WILMER

*Attorneys for Sagebrush 66
Investment Company, Inc.*

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/s/ Samantha J. Reviglio

Richard D. Williamson, Esq.

Samantha J. Reviglio, Esq.

Attorneys for Petroleum Wholesale, L.P.

WALLACE MILLSAP

/s/ Patrick Millsap

F. McClure Wallace

Patrick Millsap

Attorneys for Dale Derbidge

IT IS SO ORDERED.

Dated this 18th day of February, 2021.

William G. Cobb

UNITED STATES MAGISTRATE JUDGE